

**CITY OF MILPITAS  
APPROVED**

**PLANNING COMMISSION MINUTES**

**February 11, 2004**

**I.  
PLEDGE OF  
ALLEGIANCE**

**Chair Nitafan** called the meeting to order at 7:00 P.M. and led the Pledge of Allegiance.

**II.  
ROLL CALL**

Present: Nitafan, Lalwani, Galang, Garcia, Giordano, Mohsin and Sandhu  
Absent: None  
Staff: Carrington, Lindsay and Rodriguez

**III.  
PUBLIC FORUM**

Chair Nitafan invited members of the audience to address the Commission on any topic not on the agenda, noting that no response is required from the staff or Commission, but that the Commission may choose to agendize the matter for a future meeting.

**Richard Lorber, 573 Sark Court, Milpitas**, explained that he is getting a roof repaired and was told by staff that the 40 year composition roof does not qualify for the planned unit development. Staff explained that he could have a composition roof but it has to be tri laminate asphalt with a 7/8-inch thickness.

Mr. Lorber was concerned that only one company makes the tri laminate roof, leaving little room for competition. He noted that the Gap company has a roof that is 1/64 inch less than the 7/8-inch roof and has two layers instead of three layers, however, the top layer is thicker, which means it is more weather repellent. Mr. Lorber wanted to know why the Commission doesn't open this up for discussion to allow comparable roofs.

Chair Nitafan noted that this issue had come before the Commission before and was already deliberated on, and noted that the Commission would look at the issue again.

**Frank De Schmidt, member of Milpitas Chamber of Commerce and Rotary Club**, invited everyone to attend the Milpitas Chamber of Commerce crab feed on Friday, February 27<sup>th</sup>, at the Napredak Hall and also invited everyone to attend the Good Morning Milpitas business forum on Friday, February 20<sup>th</sup> at 7:30 a.m. at the Embassy Suites Hotel.

**IV.  
APPROVAL OF MINUTES  
January 28, 2004**

Chair Nitafan called for approval of the minutes of the Planning Commission meeting of January 28, 2004.

Under the announcements section of the minutes, Chair Nitafan noted that the sentence should be changed to read "in the Napredak Hall".

**Motion** to approve the minutes with the change.

M/S: Lalwani/Giordano

AYES: 7

NOES: 0

**V.  
ANNOUNCEMENTS**

**James Lindsay, Acting Planning Manager**, announced that Agenda Item Nos. 4, 5 and 6, related to the redevelopment of the Town Center, which includes residential units and a proposed Safeway that was originally scheduled to be heard this evening, would be continued to the February 25<sup>th</sup> meeting.

**Commissioner Giordano** noted that last year the Commission discussed impervious surface calculations regarding decks, and asked staff when the item will be brought again for discussion. She explained she wanted to put the item to rest so that if anything should come forward, the Commission would know how to handle it, particularly since there are two new Commissioners on board.

Commissioner Giordano also noted concerns that have been raised through a number of residents about parking issues with overcrowding and secondary dwelling units. She asked staff if there any requirements for parking when there is an additional dwelling unit added and if there could be a study for garage conversions into additional dwelling area square footage with the home. There seems to be a proliferation of cars that are coming into the area as additional residents are living in the homes.

Mr. Lindsay noted that Commissioner Giordano's request is very timely. He explained that after the CAC town hall meeting, staff has been looking at garage conversions and how to deal with the overcrowding situation and its impact on city streets. In working with the City Attorney, staff is coming forward with a series of zoning ordinance amendments to try to deal more effectively with these issues, and plan on bringing this to the February 25<sup>th</sup> meeting.

Commissioner Giordano asked what information would be brought forward. Mr. Lindsay noted that there are a series of amendments that staff is proposing such as garage conversions and redefinition of family and what is boarding.

Commissioner Giordano also thanked Frank de Schmidt for putting on the Gene Schwab event in honor of Lechi Nguyen, employee of the year. She noted that the luncheon was very well attended and also spoke on behalf of her relationship with Gene Schwab and that it was nice to see a recipient like Lechi Nguyen carry on the torch of what Gene Schwab was to the City.

Chair Nitafan noted that Commissioner Mohsin would not be attending the Planners Institute from March 31<sup>st</sup> through April 2<sup>nd</sup>, at the Monterey Conference Center and asked if there were any volunteers. Since there were no volunteers from the Commission, Chair Nitafan noted that he might be attending the Planners Institute along with Commissioner Garcia.

**Commissioner Garcia** noted that he was not sure if he would be attending and that he would notify staff by the March 1<sup>st</sup> deadline.

Chair Nitafan announced that the Knights of Columbus would be sponsoring an awards dinner on March 20<sup>th</sup> honoring the Firefighter, Policeman and Citizen of the Year. Chair Nitafan noted that applications for the Citizen of the Year are still wanted, and the deadline is midnight, February 25<sup>th</sup> and interested persons can contact him at (408) 934-9443 or (408) 307-9372.

Chair Nitafan called for approval of the agenda.

There were no changes from staff.

**Motion** to approve the agenda as submitted.

## VI. APPROVAL OF AGENDA

M/S: Lalwani/Giordano

AYES: 7

NOES: 0

**VII.  
CONSENT CALENDAR  
Item Nos. 1, 2, 3, 4, 5, 6 and  
7.**

Chair Nitafan asked whether staff, the Commission, or anyone in the audience wished to remove or add any items to the consent calendar.

There were no changes from staff.

Chair Nitafan opened the public hearing on Consent Item Nos. 1, 2, 3, 4, 5 and 6.

There were no speakers from the audience.

**Close the Public hearing on  
Consent Item Nos. 1, 2 and  
3 and continue Item Nos. 4,  
5 and 6 to the February 25,  
2004 meeting.**

**Motion** to close the public hearing on Consent Item Nos. 1, 2 and 3 and continue Item Nos. 4, 5 and 6 to the February 25, 2004 meeting.

M/S: Sandhu/Galang

AYES: 7

NOES: 0

**Motion** to approve the consent calendar on Consent Item Nos. 1, 2, 3, 4, 5, 6 and 7.

**\*1 USE PERMIT AMENDMENT NO. UA2003-24 AND "S" ZONE APPROVAL AMENDMENT NO. SA2003-145:** Request to modify an existing monument for Lifescan located at 1000 Gibraltar Drive (APN: 86-42-026). Applicant: Sign Classics. Project Planner: Staci Pereira, (408) 586-3278. (PJ #2363) *(Recommendation: Approval with Conditions)*

**\*2 TENTATIVE PARCEL MAP NOS. MI2003-4 and MI2003-5** *(Continued from January 28, 2004):* Request for two tentative parcel maps to convert two separate parcels into four parcels at 991, 995, 1201 and 1225 Montague Expressway, located in Fleming Business Park (APNs: 086-31-058 & 059). Applicant: South Bay Development. Project Planner: Kim Duncan, (408) 586-3283. (PJ #3168) *(Recommendation: Approval with Conditions)*

**\*3 USE PERMIT AMENDMENT NO. UA2003-23 AND "S" ZONE APPROVAL AMENDMENT NO. SA2003-166:** Request to add four (4) additional panel antennas to an existing telecommunications site located behind a new building parapet at 1101 Cadillac Court (APN: 22-38-020). Applicant: Nextel Communications. Project Planner: Staci Pereira, (408) 586-3278. (PJ #2362) *(Recommendation: Approval with Conditions)*

- \*4 SITE AND ARCHITECTURE REVIEW (SA2003-12), USE PERMIT'S NO. UP2002-42, UP2003-57, UP2003-58, UP2004-1, AND UP2004-3:** A request to demolish and redevelop a part of the Town Center shopping center, which would include a new 54,000 square foot Safeway supermarket with the sale of all types of alcoholic beverages, a 32-seat Starbucks café within Safeway, and three (3) new freestanding signs within the shopping center. (APN: 028-12-004, 006, 013, 014, 016 & 019). Applicant: Shapell Industries of Northern California. Project Planner: Troy Fujimoto, (408) 586-3287 (PJ#3153) *(Recommendation: Continue to February 25, 2004)*
- \*5 USE PERMIT NO. UP2002-42 AND SITE AND ARCHITECTURE REVIEW (SA2003-13):** A request to construct 65 townhouses at the rear of the Town Center shopping center (APN: 028-12-006 & 019). Applicant: Shapell Industries of Northern California. Project Planner: Troy Fujimoto, (408) 586-3287 (PJ #3153) *(Recommendation: Continue to February 25, 2004)*
- \*6 SIGN ORDINANCE AMENDMENT NO. 124.26 (ZT2003-5):** A request to amend the sign ordinance to increase the number of freestanding signs allowed in the Town Center District. Applicant: Shapell Industries of Northern California. Project Planner: Troy Fujimoto, (408) 586-3287. (PJ #3153) *(Recommendation: Continue to February 25, 2004)*
- \*7 ADMINISTRATIVE REVIEW NO. P-AD2004-2:** A request to allow a printing business as a permitted use within the Industrial Park (MP) zoning district at 496 South Abbott Avenue (APN: 086-06-011). Applicant: Citation Press. Acting Planning Manager: James Lindsay, (408) 586-3274. *(Recommendation: Approval)*

M/S: Sandhu/Giordano

AYES: 7

NOES: 0

## VIII. ADJOURNMENT

There being no further business, the meeting was adjourned at 7:18 p.m. to the next regular meeting of February 25, 2004.

Respectfully Submitted,

James Lindsay  
Planning Commission  
Secretary

Veronica Rodriguez  
Recording Secretary